

Before the Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Technology Transitions)	GN Docket No. 13-5
Policy Task Force)	
)	

COMMENTS OF DIGITAL LIBERTY AND AMERICANS FOR TAX REFORM

I. Introduction

On May 24, 2013 the Federal Communications Commission issued GN Docket No. 13-5; DA 13-1016; 78 FR 31542, the Federal Communications Commission Technology Transition Policy Task Force Seeks Comment on Potential Trials.

The Task Force asked for comments on a number of issues relating to technology transitions in the communications space, including the transition from Time Division Multiplexing to Internet Protocol, Next Generation 911, and possible transitions from wireline to wireless services.

In examining Americans options for the best possible communication services, the FCC should consider the universe of options available for companies to provide Americans with communications services. Consumers of communications services don't often consider the infrastructure or how they are receiving service; they just want the service to work.

Trials will be important for ensuring a smooth transition; however, we must not ignore the processes already taking place. Many consumers have already chosen to transition from legacy technology to more advanced Internet protocol based technology and next generation wireless. Any trials that are put in place should not interfere with or halt transitions already underway as a result of consumer choice.

II. Time Division Multiplexing Protocol to Voice over Internet Protocol

In terms of transitioning people still using Time Division Multiplexing Protocol to Voice over Internet Protocol, trials will be important to access the best procedures for completing a full transition. However, it is important that this transition take place, just as it was important for the digital television transition to take place. After trials have been completed, companies should not be required to maintain a technological infrastructure so dated that equipment is no longer being produced and often purchased second hand. Additionally, trials on interconnection would likely be unnecessary. These agreements and discussions are already taking place in the business community and have been effective.

When testing the TDM to IP transition, consumer input is important, but they must also be educated. Consumers need to know whether they actually need to purchase a new technology or if the devices they already have will transition seamlessly. This was not clearly explained during the DTV transition and many consumers applied for and received subsidies for set top box that they did not need.

VoIP will still travel on copper wires, and it will travel more efficiently. However, forcing a company to maintain TDM based services even after a transition will hinder advanced capabilities. A transition period may be beneficial as was done during the transition from analog broadcasts to digital broadcasts; however, requiring broadcasters to maintain the two types of signals indefinitely was not an option. It should not be an option to require a company to maintain both an IP based and a TDM based system indefinitely either.

III. Next Generation 911

In moving to Next Generation 911, trials will also be necessary for migration. It is important that the possibility of a nationwide interconnected network operating on next generation wireless services be considered in this process.

If the goal is to move all of the first responder networks to next generation wireless services, there should be less fear of using a wireless option, such as fixed wireless, microwave relay, or satellite as a primary communications platform. It seems that if FirstNet is truly to serve its purpose, it should be involved in these trials, and work in concert with governors and emergency communications already in place.

The American Reinvestment and Recovery Act mandated proceeds from the auction go toward a nationwide emergency system. FirstNet wants to use next generation standards. Therefore FirstNet and the FCC should work together in pursuing trials with state and local governments to prevent duplicative trials that waste taxpayer dollars and find the best NG911 solution.

VI. The Wireless Option

In areas where companies think something akin to fixed wireless would work best, trials are again an important aspect. However, companies need to be reassured that they will not follow the fate of LightSquared. In some areas of the country a wireless option will indeed be the best choice. The FCC has noted that wireless availability connectivity and data standards are increasing in popularity, efficiency and capacity. The FCC should not look to where wireless is today, but where it will be in 10 years. One can never be certain when predicting the future, but as more spectrum becomes available one can safely predict that wireless capacity, speed, and availability will increase exponentially.

Unfortunately, some uses of fixed wireless have been portrayed as trials, when in fact

they were not. As Hurricane Sandy destroyed the old copper landline infrastructure in Fire Island there was no phone service for many residents. In need for a fast and efficient solution Verizon offered its “Voice Link” service to affected customers.

Voice Link is not a trial or a pilot program; instead it is a method for providing voice service to customers whose copper or other wireline service is subpar. The fixed wireless model on Fire Island uses a combined wireline/wireless voice option over Verizon's wireless infrastructure and works especially well for areas not as easy to serve with landline infrastructure.

This is not the first time a wireless technology has been used and approved for local and long distance service. MCI, which stands for Microwave Communications, Inc., used microwave relay service. The idea was to be able to provide competitively priced long-distance service without having to spend the money to lay a wireline infrastructure.

Also, different infrastructure models should not be disparaged ahead of time. One is not necessarily superior to the other in all situations. This is especially important to consider when talking about the goal of universal service. For many rural customers, wireless or satellite transmission methods may prove not only more cost effective, but also more efficient in providing universal voice communications and data service.

V. Conclusion

It is not the infrastructure or the protocol that is important; it is the service. In the digital age, competition does not come from the industries operating on the same infrastructure, it comes from industries providing similar services. Americans will decide what service they prefer regardless of infrastructure or protocol.

The FCC has presided over many technical trials before and our markets have proven receptive, flexible, and powerful. While no one should be excluded during a technology transition from services they previously had access to, no company should be required to maintain antiquated infrastructure at high costs because regulators are standing in the way. Companies required to maintain expensive outdated infrastructure cannot put those resources toward further research, development, and deployment.

Respectfully,

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